

Practitioner's Docket No. US 469-7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of **BONNIE M. DAVIS**

Serial No.: 09/856282

Group No.: 1614

Filed: June 18, 2001

Examiner: Dwayne C. Jones

For: **DOSAGE FORMULATIONS FOR ACETYLCHOLINESTERASE INHIBITORS**

**Assistant commissioner for Patents  
Washington, D.C. 20231**

16148  
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PATENT

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is
- ☒ a small entity. A statement:
    - ☐ is attached.
    - ☒ was already filed.
  - ☐ other than a small entity.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: May 20, 2002

Signature

JOHN RICHARDS

(type or print name of person certifying)

## EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input checked="" type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ 460.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☒ An extension for 3 months has already been secured. The fee paid therefor of \$ 460.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 460.00

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this is a conditional petition being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

		(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
		Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	*	Minus	**	=	x \$ 9=	\$		x \$ 18=	\$
Indep.	*	Minus	***	=	x \$ 42=	\$		x \$ 84=	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					+ \$140=	\$		+ \$280=	\$
					Total Addit. Fee	\$ _____	OR	Total Addit. Fee	\$ _____

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3.  
 \*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ \_\_\_\_.

## FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 460.00.  
☐ Charge Account No. 12-0425 the sum of \$ \_\_\_\_.  
 A duplicate of this transmittal is attached.

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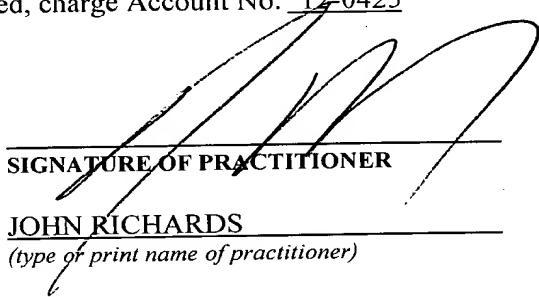
### FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

### AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 12-0425

  
SIGNATURE OF PRACTITIONER

JOHN RICHARDS  
(type of print name of practitioner)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bonnie M. Davis

Serial No.: 09/856282

Group Art Unit. 1614

Filed: June 18, 2001

Examiner: Dwayne C. Jones

For: DOSAGE FORMULATIONS FOR ACETYLCHOLINESTERASE INHIBITORS  
Attorney Docket No.: U 013469-7

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION OF NOVEMBER 19, 2001

This response is accompanied by a petition for a three months extension of term for response to the outstanding official action and a check for \$.....

REMARKS

The Examiner has rejected claims 1 - 40 under 35 USC 103 as being obvious over Shapiro and Brossi in view of Conte et al.. It is true that Shapiro and Brosse both show the therapeutic use of acetylcholinesterase inhibitors as noted by the examiner. However, there is nothing in the teaching of either of them that would lead one to the conclusion that there was any reason to delay the action of the active materials to which they refer. Indeed the teaching of Brossi that his compounds were of use for protection against or treatment of

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Signature

John Richards

(type or print name of person certifying)

05/24/2002 HNDHANH1 00000001 09056282

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